

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

OZAKI *et al.*

Appl. No.: 10/553,434

§ 371 Date: October 18, 2005

For: **MMP Expression Inhibitor**

Confirmation No.: 3772

Art Unit: 1614

Examiner: Royds, Leslie A

Atty. Docket: 1089.0580000/MAC

**Request for Corrected Filing Receipt**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request a corrected filing receipt for two corrections. A copy of the filing receipt marked-up to show the changes is attached. Also attached is a copy of applicants' form PCT/IB/304, in support of the first change below.

(1) The filing receipt mailed May 22, 2006, under "Acceptable Request to Retrieve Priority Application Received?" has "no" inserted as the answer. That text should be removed as the instant application is a 371 National Stage of PCT/JP2004/00638. Since the instant application is a 371 National Stage of PCT/JP2004/00638, it is the responsibility of WIPO to forward a certified copy of the priority application to the USPTO. MPEP § 1896.

Priority was properly established at the PCT stage, and the certified copy of the priority document was received by WIPO. Enclosed is a copy of Form PCT/IB/304, mailed July 23, 2004 during the PCT stage for PCT/JP2004/00638. It indicates that a copy of Applicants' priority application, JP 2003-118581, was timely received in compliance with PCT Rule 17.1(a) or (b).

In 35 U.S.C. §371 applications, Applicants do not request that the USPTO retrieve a copy of the priority application. Appropriate correction of the filing receipt is respectfully requested.

(2) On the filing receipt, in the "Title" of the invention, the first word should be all upper case letters, that is, "Mmp" should be "MMP". Support for this is found, *inter alia*, on the application data sheet filed with the national stage transmittal request on October 18, 2005.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Michele A. Cimbala  
Attorney for Applicants  
Registration No. 33,851

Date: September 18, 2008

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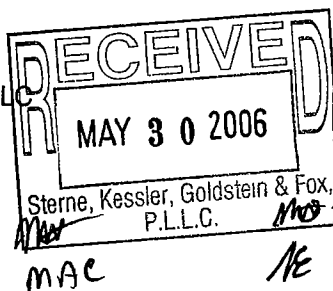
## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/553,434	10/18/2005	1645	1900	1089.0580000/MAC/SJE	9	10	8

26111

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 1100 NEW YORK AVENUE, N.W.  
 WASHINGTON, DC 20005



CONFIRMATION NO. 3772

FILING RECEIPT



\*OC000000018894173\*

Date Mailed: 05/22/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

**Applicant(s)**

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 Toshihiko Mizuta, Saga, JAPAN;  
 Kyosuke Yamamoto, Saga, JAPAN;

**Assignment For Published Patent Application**

EISAI CO., LTD

**Power of Attorney:** The patent practitioners associated with Customer Number 26111.

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/JP04/06038 04/23/2004

**Foreign Applications**

JAPAN 2003-118581 04/23/2003

Acceptable Request to Retrieve Priority Application Received?

NO

If Required, Foreign Filing License Granted: 05/20/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/553,434**

Projected Publication Date: 08/31/2006

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

mmp  
~~Mmp~~ expression inhibitor

**Preliminary Class**

435

## PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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(PCT Administrative Instructions, Section 411)

From the INTERNATIONAL BUREAU

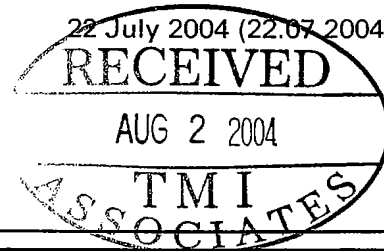
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TMI ASSOCIATES 23rd Floor,  
Roppongi Hills Mori Tower, 6-10-1,  
Roppongi Minato-ku Tokyo  
1066123  
Japan

Date of mailing (day/month/year) 23 July 2004 (23.07.2004)	
Applicant's or agent's file reference E0006TW02W	<b>IMPORTANT NOTIFICATION</b>
International application No. PCT/JP2004/006038	International filing date (day/month/year) 23 April 2004 (23.04.2004)
International publication date (day/month/year) Not yet published	Priority date (day/month/year) 23 April 2003 (23.04.2003)
Applicant EISAI CO. LTD. et al	

- By means of this Form, which replaces any previously issued notification concerning submission or transmittal of priority documents, the applicant is hereby notified of the date of receipt by the International Bureau of the priority document(s) relating to all earlier application(s) whose priority is claimed. Unless otherwise indicated by the letters "NR", in the right-hand column or by an asterisk appearing next to a date of receipt, the priority document concerned was submitted or transmitted to the International Bureau in compliance with Rule 17.1(a) or (b).
- (If applicable) The letters "NR" appearing in the right-hand column denote a **priority document which, on the date of mailing of this Form, had not yet been received by the International Bureau** under Rule 17.1(a) or (b). Where, under Rule 17.1(a), the priority document must be submitted by the applicant to the receiving Office or the International Bureau, but the applicant fails to submit the priority document within the applicable time limit under that Rule, **the attention of the applicant is directed** to Rule 17.1(c) which provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.
- (If applicable) An **asterisk(\*)** appearing next to a date of receipt, in the right-hand column, denotes a **priority document submitted or transmitted to the International Bureau but not in compliance with Rule 17.1(a) or (b)** (the priority document was received after the time limit prescribed in Rule 17.1(a) or the request to prepare and transmit the priority document was submitted to the receiving Office after the applicable time limit under Rule 17.1(b)). Even though the priority document was not furnished in compliance with Rule 17.1(a) or (b), the International Bureau will nevertheless transmit a copy of the document to the designated Offices, for their consideration. In case such a copy is not accepted by the designated Office as priority document, Rule 17.1(c) provides that no designated Office may disregard the priority claim concerned before giving the applicant an opportunity, upon entry into the national phase, to furnish the priority document within a time limit which is reasonable under the circumstances.

<u>Priority date</u>	<u>Priority application No.</u>	<u>Country or regional Office or PCT receiving Office</u>	<u>Date of receipt of priority document</u>
23 April 2003 (23.04.2003)	2003-118581	JP	22 July 2004 (22.07.2004)



<b>The International Bureau of WIPO</b> 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. (41-22) 338.90.90	Authorized officer Hammouda, Abdessalem Telephone No. (41-22) 338 1
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